

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 85-122

WASTE DISCHARGE REQUIREMENTS FOR:

ED OLIVERA DOING BUSINESS AS OLIVERA EGG RANCH
OLIVERA EGG RANCH
SAN JOSE, SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board), finds that:

1. Ed Olivera, and Ed Olivera Doing Business as Olivera Egg Ranch (hereinafter called the discharger), owns and operates an egg ranch located on San Felipe Road in southern San Jose. This egg ranch is a confined animal facility as defined in Subchapter 15 of Chapter 3, Title 23, California Administrative Code (hereafter referred to as Subchapter 15).
2. The discharger's operations consist of seven (7) large enclosed coops which house approximately 40,000 chickens. Waste generated in these coops is washed from beneath the cages by water and delivered to a 160 foot by 160 foot by 10 foot deep waste pond (anaerobic lagoon) by gravity. Solids from the waste pond are trucked uphill to a six (6) acre drying area located on leased land to the east of the chicken coops. Liquids from the waste pond are used for irrigation of an orchard adjacent to and north of the disposal area. The project site drains to an unnamed creek which is tributary to Thompson Creek. Thompson Creek flows into the San Francisco Bay via Silver and Coyote Creeks.
3. The Regional Board issued Waste Discharge Requirements to the discharger on May 16, 1978. The implementation of Subchapter 15 warrants revision of these requirements (Board Order No. 78-34).

4. Beneficial uses of Thompson and Coyote Creeks include:
 - a. Water contact recreation.
 - b. Non-contact water recreation.
 - c. Warm fresh water habitat.
 - d. Cold fresh water habitat.
 - e. Wildlife habitat.
 - f. Preservation of rare and endangered species.
 - g. Fish migration.
 - h. Fish spawning.
5. Approximately fourteen (14) domestic wells are used by residents in the area. Beneficial uses of underlying groundwater are as follows:
 - a. Municipal and domestic water supply.
 - b. Industrial process water supply.
 - c. Industrial service supply.
 - d. Agricultural water supply.
6. The Regional Board adopted a revised Water Quality Plan for the San Francisco Bay Basin on July 1, 1982 and this order implements the water quality objectives stated in that plan.
7. This facility is the continued operation of a privately owned waste disposal facility with negligible or no expansion of use beyond that previously existing. Consequently, this project qualifies for an exemption to the California Environmental Quality Act (CEQA) as provided for in CEQA Section 21084 (a), and Section 15310 of the Resources Code.
8. The Board notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharger and has provided them with an opportunity for a public hearing and to submit their written views and recommendations.
9. The Board, in a public hearing held on April 17, 1985, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED that Ed Olivera Doing Business as Olivera Egg Ranch shall meet the provisions contained in division 7 of the California Water Code and regulations adopted thereunder and shall also comply with the following:

A. PROHIBITIONS

1. The creation of a condition of pollution or nuisance, as defined in Section 13050 of the California Water Code, resulting from the treatment and/or disposal of waste is prohibited.
2. Degradation of groundwater quality resulting from the handling, storage, transport, or discharge of waste is prohibited.

B. SPECIFICATIONS

1. A minimum freeboard of two (2) feet shall be maintained in the waste pond at all times.
2. Retention ponds and manured areas shall be protected from inundation or washout by overflow from any stream channel during 20-year peak stream flows.
3. Application of manure and wastewater to disposal fields or crop lands shall be at rates which are reasonable for the crop, soil, climate, special local situations, management system, and type of manure.
4. Discharges of facility wastewater to disposal fields shall not result in surface runoff from disposal fields and shall be managed to minimize percolation to ground water.
5. The waste lagoon and drying area shall be operated in accordance with the requirements of Subchapter 15.

C. PROVISIONS

1. This Board's Order No. 78-34 is hereby rescinded.
2. The discharger shall submit by January 15, 1986 one of the following:
 - a. A technical report compiled and signed by a registered civil engineer, registered agricultural engineer, or certified engineering geologist familiar with waste disposal issues. This report shall fully describe the generation, storage, and treatment of solid and liquid wastes on-site;

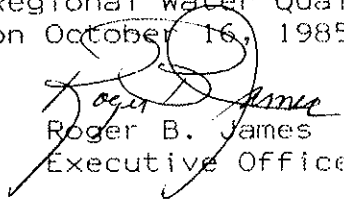
describe the use of land on which waste pond effluent is discharged, including a map of the area on which wastes are discharged; evaluate the hydrology and hydrogeology of the site, including a water balance study relative to waste flows and the 25 year 24-hour storm; evaluate the potential for contamination of ground or surface waters with wastes from the site, including a discussion of the results of analyses of water samples taken from ground and surface waters within approximately one quarter mile of the site; and propose any remedial actions which may need to be taken. The requirements of Article 6 of Subchapter 15 concerning confined animal facilities shall be specifically addressed in this report.

- b. A written commitment to cease operations at the facility prior to a specified date, which is to be no later than June 1, 1986. Closure plans, including a description of the final handling and disposal of the chicken manure, and a proposal for a survey of nearby groundwater wells to ascertain that no contaminant plume exists beneath the facility, shall be submitted as described in Provision 4.b.
3. The discharger shall file with the Regional Board self-monitoring reports performed according to any self-monitoring program directed by the Executive Officer.
4. The discharger shall comply with all Prohibitions and Specifications immediately upon adoption of this Order, except Specification B.5. The discharger shall comply with Specification B.5. according to the following schedule:

<u>TASK</u>	<u>COMPLIANCE DATE</u>
a. Submit one of the documents required in Provision C.2.	by January 15, 1986
b. Submit plans and a time schedule for changes needed to achieve full compliance	by March 1, 1986
c. Status report	by June 1, 1986
d. Achieve full compliance	by November, 1 1986

5. The discharger shall permit the Regional Board or its authorized representative:
 - a. Entry upon premises in which an effluent source is located or in which any required records are kept.
 - b. Access to copy any records required to be kept under terms and conditions of this order.
 - c. Inspection of any monitoring equipment or method required by this order.
 - d. Sampling of any discharge.
6. The discharger shall maintain a copy of this order at the site so as to be available at all times to personnel operating waste disposal facilities.
7. This Board considers the property owner and site operator to have a continuing responsibility for correcting any problems which arise in the future as a result of this waste discharge or related operations.
8. The discharger shall file with this Board a report of any material change or proposed change in the character, location, or quantity of this waste discharge. For the purpose of these requirements, this includes any proposed change in the ownership of the facility.

I, Roger B. James, Executive Officer, do hereby certify that the foregoing is a full, complete, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on October 16, 1985.


Roger B. James
Executive Officer

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